

FILED

10/10/2007

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS

MAR 25 2008

3-25-2008

MICHAEL W. DOBBS

CLERK, U.S. DISTRICT COURT

## IN FORMA PAUPERIS APPLICATION

AND

## FINANCIAL AFFIDAVIT

DAMEN TOY

Plaintiff

v.  
TERRY MC CANN  
STATEVILLE CORR. CNTR.

Defendant(s)

MAURICE  
LAKE  
OF  
STATEVILLE  
(NRC)

CASE 1

JUDGE

08CV1728

JUDGE BUCKLO

MAG. JUDGE VALDEZ

Wherever ☐ is included, please place an X into whichever box applies. Wherever the answer to any question requires more information than the space that is provided, attach one or more pages that refer to each such question number and provide the additional information. Please PRINT:

1. DAMEN TOY, declare that I am the ☒ plaintiff ☐ petitioner ☐ movant (other \_\_\_\_\_) in the above-entitled case. This affidavit constitutes my application ☒ to proceed without full prepayment of fees, or ☒ in support of my motion for appointment of counsel, or ☒ both. I also declare that I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint/petition/motion/appeal. In support of this petition/application/motion/appeal, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Question 2)  
I.D. # N94265 Name of prison or jail: STATEVILLE NRC  
Do you receive any payment from the institution? ☐ Yes ☒ No Monthly amount: \_\_\_\_\_

2. Are you currently employed? ☐ Yes ☒ No  
Monthly salary or wages: \_\_\_\_\_  
Name and address of employer: \_\_\_\_\_

a. If the answer is "No":  
Date of last employment: \_\_\_\_\_  
Monthly salary or wages: \_\_\_\_\_  
Name and address of last employer: \_\_\_\_\_

b. Are you married? ☐ Yes ☒ No  
Spouse's monthly salary or wages: \_\_\_\_\_  
Name and address of employer: \_\_\_\_\_

3. Apart from your income stated above in response to Question 2, in the past twelve months have you or anyone else living at the same residence received more than \$200 from any of the following sources? Mark an X in either "Yes" or "No", and then check all boxes that apply in each category.

a. Salary or wages ☐ Yes ☒ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_

- b. ☐ Business, ☐ profession or ☐ other self-employment ☐ Yes ☒ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- c. ☐ Rent payments, ☐ interest or ☐ dividends ☐ Yes ☒ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- d. ☐ Pensions, ☐ social security, ☐ annuities, ☐ life insurance, ☐ disability, ☐ workers' compensation, ☐ unemployment, ☐ welfare, ☐ alimony or maintenance or ☐ child support ☐ Yes ☒ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- e. ☐ Gifts or ☐ inheritances ☐ Yes ☒ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
- f. ☐ Any other sources (state source: \_\_\_\_\_) ☐ Yes ☒ No  
Amount \_\_\_\_\_ Received by \_\_\_\_\_
4. Do you or anyone else living at the same residence have more than \$200 in cash or checking or savings accounts? ☐ Yes ☒ No Total amount: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_
5. Do you or anyone else living at the same residence own any stocks, bonds, securities or other financial instruments? ☐ Yes ☒ No  
Property: \_\_\_\_\_ Current Value: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_
6. Do you or anyone else living at the same residence own any real estate (houses, apartments, condominiums, cooperatives, two-flats, three-flats, etc.)? ☐ Yes ☒ No  
Address of property: \_\_\_\_\_  
Type of property: \_\_\_\_\_ Current value: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_  
Amount of monthly mortgage or loan payments: \_\_\_\_\_  
Name of person making payments: \_\_\_\_\_
7. Do you or anyone else living at the same residence own any automobiles, boats, trailers, mobile homes or other items of personal property with a current market value of more than \$1000? ☐ Yes ☒ No  
Property: \_\_\_\_\_  
Current value: \_\_\_\_\_  
In whose name held: \_\_\_\_\_ Relationship to you: \_\_\_\_\_
8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute monthly to their support. If none, check here ☒ No dependents  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: 3-13-08

Damen Toy

Signature of Applicant

DAMEN TOY

(Print Name)

**NOTICE TO PRISONERS:** A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

#### CERTIFICATE

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

I certify that the applicant named herein, DAMEN TOY, I.D.# N94265, has the sum of \$ 1193.24 on account to his/her credit at (name of institution) STATEVILLE CC.

I further certify that the applicant has the following securities to his/her credit: —. I further certify that during the past six months the applicant's average monthly deposit was \$ 217.02.

(Add all deposits from all sources and then divide by number of months).

3-13-08

DATE

T. Carrion

SIGNATURE OF AUTHORIZED OFFICER

T. CARRION

(Print name)

Date: 3/11/2008

Time: 13:44:16

CHAMP

## Trust Fund

## Inmate Transaction Statement

9/20/2007 to 3/11/2008

Inmate: N94265 Toy, Damen

Housing Unit: NRC-RB-03-09

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
Beginning Balance:						0.00	
09/27/07	Mail Room	10 Western Union	270200	9590290941	JONES, ERNEST	110.00	110.00
10/07/07	Mail Room	10 Western Union	280200	7450195104	JONES, ERNEST	100.00	210.00
10/09/07	Mail Room	10 Western Union	282200	6431068679	MARIE MCKENZIE, WILLIE	25.00	235.00
10/15/07	Disbursements	93 R & C - UPS	288390	Chk #136657	C1010085, Stateville CC Inmate, Inv. Date: 10/10/2007	-5.86	229.14
10/15/07	Disbursements	80 Postage	288390	Chk #136658	C1011091, DOC: 523 Fund Reimbu, Inv. Date: 10/11/2007	-.41	228.73
10/15/07	Disbursements	80 Postage	288390	Chk #136658	C1011092, DOC: 523 Fund Reimbu, Inv. Date: 10/11/2007	-.41	228.32
10/15/07	Disbursements	80 Postage	288390	Chk #136658	C1012028, DOC: 523 Fund Reimbu, Inv. Date: 10/12/2007	-.41	227.91
10/15/07	Mail Room	01 MO/Checks (Not Held)	288291	568457	Jones, E	30.00	257.91
10/19/07	Disbursements	80 Postage	292390	Chk #136785	C1017038, DOC: 523 Fund Inmate, Inv. Date: 10/17/2007	-.41	257.50
10/24/07	Point of Sale	60 Commissary	2977142	511490	Commissary	-21.00	236.50
10/24/07	Disbursements	80 Postage	297390	Chk #136843	C1023166, DOC: 523 Fund Inmate, Inv. Date: 10/23/2007	-.41	236.09
10/29/07	Disbursements	80 Postage	302390	Chk #136898	C1025048, DOC: 523 Fund Inmate, Inv. Date: 10/25/2007	-.58	235.51
10/31/07	Disbursements	80 Postage	304390	Chk #136948	J1030963, DOC: 523 Fund Inmate, Inv. Date: 10/30/2007	-.58	234.93
11/08/07	Mail Room	04 Intake and Transfers In	3122153	152896	Cook County Jail	243.64	478.57
11/14/07	Disbursements	80 Postage	318390	Chk #137103	J1108073, DOC: 523 Fund Inmate, Inv. Date: 11/08/2007	-.41	478.16
11/15/07	Disbursements	80 Postage	319390	Chk #137203	C1114047, DOC: 523 Fund Inmate, Inv. Date: 11/14/2007	-.41	477.75
11/15/07	Disbursements	80 Postage	319390	Chk #137203	C1114048, DOC: 523 Fund Inmate, Inv. Date: 11/14/2007	-.41	477.34
11/22/07	Disbursements	80 Postage	326390	Chk #137269	1119272, DOC: 523 Fund Inmate , Inv. Date: 11/19/2007	-.41	476.93
11/22/07	Disbursements	80 Postage	326390	Chk #137269	g1121212, DOC: 523 Fund Inmate, Inv. Date: 11/21/2007	-.41	476.52
11/22/07	Disbursements	80 Postage	326390	Chk #137269	g1121267, DOC: 523 Fund Inmate, Inv. Date: 11/21/2007	-.41	476.11
11/22/07	Disbursements	80 Postage	326390	Chk #137269	1119273, DOC: 523 Fund Inmate , Inv. Date: 11/19/2007	-.41	475.70
11/22/07	Disbursements	80 Postage	326390	Chk #137269	g1121262, DOC: 523 Fund Inmate, Inv. Date: 11/21/2007	-.41	475.29
11/24/07	Mail Room	10 Western Union	328200	5930680534	JONES, ERNEST	200.00	675.29
11/26/07	Point of Sale	60 Commissary	3307137	515347	Commissary	-18.46	656.83
11/29/07	Disbursements	80 Postage	333390	Chk #137412	g1128035, DOC: 523 Fund Inmate, Inv. Date: 11/28/2007	-.41	656.42
11/29/07	Disbursements	80 Postage	333390	Chk #137412	g1128034, DOC: 523 Fund Inmate, Inv. Date: 11/28/2007	-.41	656.01
12/06/07	Disbursements	80 Postage	340390	Chk #137493	g1205091, DOC: 523 Fund Inmate, Inv. Date: 12/05/2007	-.41	655.60
12/06/07	Disbursements	80 Postage	340390	Chk #137493	g1205090, DOC: 523 Fund Inmate, Inv. Date: 12/05/2007	-.41	655.19
12/06/07	Disbursements	80 Postage	340390	Chk #137493	g1205343, DOC: 523 Fund Inmate, Inv. Date: 12/05/2007	-.41	654.78
12/12/07	Disbursements	80 Postage	346390	Chk #137575	g1210205, DOC: 523 Fund Inmate, Inv. Date: 12/10/2007	-.41	654.37
12/20/07	Disbursements	80 Postage	354390	Chk #137776	g1218310, DOC: 523 Fund Inmate, Inv. Date: 12/18/2007	-.41	653.96
12/20/07	Disbursements	80 Postage	354390	Chk #137776	g1219001, DOC: 523 Fund Inmate, Inv. Date: 12/19/2007	-.41	653.55
12/20/07	Disbursements	80 Postage	354390	Chk #137776	g1218308, DOC: 523 Fund Inmate, Inv. Date: 12/18/2007	-.41	653.14
12/20/07	Disbursements	80 Postage	354390	Chk #137776	g1218307, DOC: 523 Fund Inmate, Inv. Date: 12/18/2007	-.41	652.73

Date : 3/11/2008

Time : 13:44:16

CHAMP

Trust Fund

Inmate Transaction Statement

9/20/2007 to 3/11/2008

Inmate: N94265 Toy, Damen

Housing Unit: NRC-RB-03-09

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
12/20/07	Disbursements	80 Postage	354390	Chk #137776	g1218223, DOC: 523 Fund Inmate, Inv. Date: 12/18/2007	-.82	651.91
12/20/07	Disbursements	80 Postage	354390	Chk #137776	g1218309, DOC: 523 Fund Inmate, Inv. Date: 12/18/2007	-.41	651.50
12/25/07	Point of Sale	60 Commissary	3597137	519388	Commissary	-19.73	631.77
12/27/07	Mail Room	01 MO/Checks (Not Held)	3612164	08-815870739	Hall, Barbara	15.00	646.77
12/28/07	Mail Room	10 Western Union	362200	9191204446	JONES, ERNEST	200.00	846.77
01/03/08	Disbursements	80 Postage	003390	Chk #137986	j0101111, DOC: 523 Fund Inmate, Inv. Date: 01/01/2008	-.41	846.36
01/07/08	Disbursements	80 Postage	007390	Chk #138019	j0104051, DOC: 523 Fund Inmate, Inv. Date: 01/04/2008	-.41	845.95
01/07/08	Disbursements	80 Postage	007390	Chk #138019	j0104050, DOC: 523 Fund Inmate, Inv. Date: 01/04/2008	-.41	845.54
01/08/08	Disbursements	80 Postage	008390	Chk #138042	C0107124, DOC: 523 Fund Inmate, Inv. Date: 01/07/2008	-.41	845.13
01/11/08	Disbursements	80 Postage	011390	Chk #138101	g0109196, DOC: 523 Fund Inmate, Inv. Date: 01/09/2008	-.41	844.72
01/11/08	Disbursements	80 Postage	011390	Chk #138101	g0109342, DOC: 523 Fund Inmate, Inv. Date: 01/09/2008	-.41	844.31
01/16/08	Disbursements	80 Postage	016390	Chk #138263	g0115176, DOC: 523 Fund Inmate, Inv. Date: 01/15/2008	-.82	843.49
01/17/08	Mail Room	01 MO/Checks (Not Held)	0172175	565489	Nash, Debra	50.00	893.49
01/17/08	Mail Room	01 MO/Checks (Not Held)	0172175	565488	Nash	50.00	943.49
01/25/08	Mail Room	01 MO/Checks (Not Held)	025237	08-815871819	Hall, Barbara	10.00	953.49
01/26/08	Mail Room	10 Western Union	026200	1687054933	JONES, ERNEST	200.00	1,153.49
01/30/08	Point of Sale	60 Commissary	0307137	523791	Commissary	-14.03	1,139.46
02/13/08	Disbursements	88 reading materials	044390	Chk #138785	C0211017, Rising Sun Multimed, Inv. Date: 02/11/2008	-5.00	1,134.46
02/22/08	Disbursements	80 Postage	053390	Chk #138916	g0220011, DOC: 523 Fund Inmate, Inv. Date: 02/20/2008	-.41	1,134.05
02/22/08	Disbursements	80 Postage	053390	Chk #138916	g0221013, DOC: 523 Fund Inmate, Inv. Date: 02/21/2008	-1.99	1,132.06
02/22/08	Mail Room	01 MO/Checks (Not Held)	0532175	575958	Nash, Debra	50.00	1,182.06
02/28/08	Mail Room	01 MO/Checks (Not Held)	059237	10906	Concordia IBF Grievance	18.46	1,200.52
03/05/08	Disbursements	80 Postage	065390	Chk #139080	C0304023, DOC: 523 Fund Inmate, Inv. Date: 03/04/2008	-2.16	1,198.36
03/05/08	Disbursements	80 Postage	065390	Chk #139080	g0305011, DOC: 523 Fund Inmate, Inv. Date: 03/05/2008	-2.33	1,196.03

Total Inmate Funds: 1,196.03

Less Funds Held For Orders: .00

Less Funds Restricted: .00

Funds Available: 1,196.03

Total Furloughs: .00

Total Voluntary Restitutions: .00